

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:23-cv-00270-MR-WCM

MACKENZIE ELAINE BROWN,

Plaintiff,

v.

HENDERSON COUNTY

SHERIFF'S OFFICE;

ROBERT JORDAN WARREN

*Sheriff Deputy with Henderson*

*County Sheriff's Office - Patrol Division;*

MICHAEL SCOTT LINDSAY

*Sheriff Deputy with Henderson County*

*Sheriff's Office - Patrol Division;*

CRYSTAL D. LANDERS

*Sheriff Deputy with Henderson County*

*Sheriff's Office - Patrol Division;*

JOHNNY E. DUNCAN, JR.

*Henderson County Director of*

*Technical Services/Public*

*Information Officer;*

BRADLEY R. REESE

*Animal Enforcement Officer with*

*Henderson County Sheriff's Department;*

BRITTANY NICOLE MAYBIN

*Detention Facility Officer with*

*Henderson County Detention Facility*

SUSAN N. OATES

*Magistrate with North Carolina*

*Administrative Office of the Courts; and*

EMILY GREENE COWAN

*District Court Judge with the*

*North Carolina Consolidated*

*Judicial Retirement System,*

Defendants.

ORDER

This matter is before the undersigned for case management purposes following the filing of:

- (1) A Motion to Dismiss by Defendants Henderson County Sheriff's Office ("HCSO"), Robert Warren, Michael Lindsay, Crystal Landers, Johnny Duncan, Jr., Bradley Reese, and Brittany Maybin (collectively, the "HCSO Defendants"). Docs. 15, 16.
- (2) A Motion to Dismiss by Susan N. Oakes and Emily Greene Cowan (the "Judicial Defendants"). Docs, 17, 17-1.

The Court **ADVISES** Plaintiff, who appears *pro se* in this matter, that the HCSO Defendants and the Judicial Defendants have filed Motions to Dismiss pursuant to Rule 12(b)(1) and/or Rule 12(b)(6) of the Federal Rules of Civil Procedure by which they ask the Court to dismiss Plaintiff's claims against them.

Plaintiff is advised to review the Motions to Dismiss and supporting memoranda (Docs. 15, 16, 17, 17-1) carefully. Plaintiff is further advised that if she does not submit a response to the Motions by the date stated herein, the Court may proceed to consider the Motions to Dismiss without hearing from her. See Roseboro v. Garrison, 528 F.2d 309, 310 (4th Cir. 1975); see also Carr v. Reece, No. 3:21-cv-00217-FDW-DCK, 2021 WL 5855646 at \*2, n. 1 (W.D.N.C. Dec. 9, 2021) ("[C]ourts routinely issue Roseboro notices for motions to dismiss, and the Court does so here.").

In the Court's discretion, Plaintiff's deadline for filing a response to the Motion to Dismiss filed by the HCSO Defendants (Doc. 15) and the Motion to Dismiss filed by the Judicial Defendants (Doc. 17) is **EXTENDED** to and including January 5, 2024.

It is so ordered.

Signed: December 5, 2023

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf  
United States Magistrate Judge

